

1 KILPATRICK TOWNSEND & STOCKTON LLP  
2 Eighth Floor, Two Embarcadero Center  
3 San Francisco, CA 94111  
4 Telephone: (415) 576-0200  
5 Facsimile: (415) 576-0300

6 1100 Peachtree Street NE, Suite 2800  
7 Atlanta, GA 30309-4528  
8 Telephone: (404) 815-6500

9 BLECHER COLLINS PEPPERMAN & JOYE, P.C.  
10 515 S. Figueroa Street, Suite 1750  
11 Los Angeles, CA 90071  
12 Telephone: (213) 622-4222  
13 Facsimile: (213) 622-1656

14 Attorneys for Plaintiff  
15 SIDENSE CORP.

16 DURIE TANGRI, LLP  
17 217 Leidesdorff Street  
18 San Francisco, CA 94111  
19 Telephone: (415) 362-6666

20 Attorneys for Defendant  
21 KILOPASS TECHNOLOGY, INC.

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**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

29 SIDENSE CORP., a Canadian Corporation,

30 Plaintiff,

31 v.

32 KILOPASS TECHNOLOGY, INC., a  
33 California Corporation,

34 Defendant.

35 Case No. 14-02238-SI

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1 Parties") hereby request that the Further Case Management Conference scheduled for Friday,  
 2 October 9, 2015 be taken off calendar, pending this Court's decision on Kilopass's planned  
 3 motion to dismiss ("MTD") Sidense's First Amended Complaint ("FAC"), Document 37, filed  
 4 herein on August 24, 2015.

5 Kilopass's response to the FAC is due on October 2 and it plans to file the MTD on that  
 6 date. With that plan in mind, the Parties request the following schedule for further briefing and  
 7 hearing on the MTD: (1) Sidense's opposition to be filed on Friday, October 30, 2015; (2)  
 8 Kilopass's reply brief to be filed on Friday, November 13, 2015; and (3) the MTD be set for  
 9 hearing on Friday, December 4, or as soon thereafter as the Court can hear the matter, with leave  
 10 for the Parties to request a later hearing date to avoid undue conflict with whatever date the  
 11 Federal Circuit sets for oral argument in the Parties' pending attorneys' fees appeal.

12 The Parties further request that, following the Court's decision on the planned MTD, the  
 13 Court set a Case Management Conference at the earliest date on the Court's calendar that is at  
 14 least 21 days after the MTD decision, in order to give the Parties adequate time to meet, confer  
 15 and file a Joint Case Management Conference Statement seven days in advance of the Conference,  
 16 pursuant to the Local Rules and F.R.Civ. 26(f). Among other topics to be considered prior to filing  
 17 the Joint Case Management Conference Statement will be whether MTD decision has settled the  
 18 pleadings and, if so, whether the Parties will engage in further settlement discussions.

19 Good cause exists for the requested continuance to avoid wasting the Court's time and the  
 20 Parties' resources preparing for a Case Management Conference before a decision on the planned  
 21 motion to dismiss.

22 This is the first requested extension of time for the Further Case Management Conference,  
 23 and there are no other currently scheduled events that depend on the date of that Conference.

24 ACCORDINGLY, the Parties request that:

25 (1) the October 9, 2015 Further Case Management Conference be taken off calendar;  
 26 (2) after deciding Kilopass's motion to dismiss (MTD) Sidense's First Amended  
 27 Complaint (FAC), which Kilopass plans to file on or before October 2, 2015, the Further Case  
 28 Management Conference be rescheduled for the earliest date on the Court's calendar that is at least

1 21 days after that decision;

2 (3) the deadlines for Sidense's opposition to Kilopass's planned MTD, and Kilopass's  
3 MTD reply be extended to Friday, October 30, 2015, and Friday, November 13, 2015,  
4 respectively;

5 (4) the MTD be set for hearing on Friday, December 4, 2015, or as soon thereafter as the  
6 Court can hear the matter; and

7 (5) if the Federal Circuit hereafter sets oral argument in the Parties' pending attorneys' fees  
8 appeal on a date which unduly conflicts with the MTD hearing date, the Parties be given leave to  
9 promptly request a mutually agreeable revised later MTD hearing date.

11 DATED: September 24, 2015

KILPATRICK TOWNSEND & STOCKTON LLP  
ROGER L. COOK (State Bar No. 55208)  
SARA B. GIARDINA (State Bar No. 278954)  
KEVIN J. O'BRIEN (State Bar No. 278823)  
JOSHUA H. LEE (Admitted *Pro hac vice*)  
E-mail: rcook@kilpatricktownsend.com  
sgiardina@kilpatricktownsend.com  
kobrien@kilpatricktownsend.com  
jlee@kilpatricktownsend.com

16 BLECHER COLLINS PEPPERMAN & JOYE, P.C.  
17 MAXWELL M. BLECHER (State Bar No. 26202)  
18 DONALD R. PEPPERMAN (State Bar No. 109809)  
19 COURTNEY A. PALKO (State Bar No 233822)  
E-mail: mblecher@blechercollins.com  
dpepperman @blechercollins.com  
cpalko@blechercollins.com

20 By: /s/ Roger L. Cook

21 ROGER L. COOK  
22 Attorneys for Plaintiff  
23 Sidense Corp.

1 DATED: September 24, 2015

2 DURIE TANGRI, LLP  
3 DARALYN J. DURIE (State Bar No. 169825)  
4 DAVID McGOWAN (State Bar No. 154289)  
5 TIMOTHY C. SAULSBURY (State Bar No. 281434)  
6 E-mail: ddurie@durietangri.com  
7 dmgowan@durietangri.com  
8 tsaulsbury@durietangri.com

9  
10 By: /s/ Timothy C. Saulsbury  
11 TIMOTHY C. SAULSBURY

12  
13 Attorneys for Defendant  
14 Kilopass Technology, Inc.

15 67757322V.1

**CERTIFICATION PURSUANT TO CIVIL L.R. 5-1(i)(3),  
RE E-FILING ON BEHALF OF MULTIPLE SIGNATORIES**

In accord with the Northern District of California's Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from each of other signatories who are listed on the signature pages. I shall maintain records to support this concurrence for subsequent production for the Court if so ordered, or for inspection upon request by a party until one year after final resolution of the action (including appeal, if any).

September 24, 2015

*/s/ Roger L. Cook*

## **ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The case management conference is continued to Friday, January 29, 2016, at 3 p.m.

Date: 9/25/15

The Hon. Susan Illston  
United States District Court Judge